



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/167,539	10/07/1998	INH-SEOK SUH	06205.0027	1446

7590 11/18/2003

McGuire Woods LLP
1750 Tysons Boulevard Suite 1800
McLean, VA 22102

EXAMINER

YE, LIN

ART UNIT	PAPER NUMBER
----------	--------------

2612

DATE MAILED: 11/18/2003

18

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/167,539

Applicant(s)

SUH, INH-SEOK

Examiner

Lin Ye

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,7,8,11,14,15,17 and 19 is/are pending in the application.

4a) Of the above claim(s) 14 is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1,4,5,7,8,11,15,17 and 19 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 8/19/03 have been fully considered but they are not persuasive as to claims 1, 4-5, 7-8, 11, 14-15, 17 and 19.

Referring to claims 1, 4 and 15, the applicant argues that the Ueno reference does not teach or suggest the image recording apparatus (120) stores the compressed image data. The examiner disagrees. It should be noted that the Ueno reference discloses the control circuit (138) for performing compression (reduction) processing in which a size of an image represented by the image data stored in the frame memory (136 as the first memory unit) is compressed to one-eighth, and the compressed imaged data (pre-shot image data) is output to the SCSI bus (154) (See Col. 17, lines 51-60). As shown in Figure 10, it clears show the compressed image data can be directly stored in image recording apparatus (120 as the secondary memory unit) from control circuit (138) via SCSI bus (154) or transferred to processing apparatus (114) for additional signal processing before recording the compressed image data to the recording apparatus (120) (See Col. 19, lines 1-20).

Claim Objections

2. Claim 14 is objected to because of the following informalities:

The claim 14 is dependent on the claim 13 which is currently cancelled. Due to the insufficient information, the claim 14 has **not been further treated on the merits**.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-5, 7-8, 11, 15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. U.S. Patent 5,625,415 in view Mrejen, Jean-Jacques FR Published Application 2674036 (Hereinafter referred to as Mrejen).

Referring to claim 1, The Ueno reference discloses in Figures 14-15 and 18, a digital still camera comprises a display screen (1302) for displaying an image corresponding to a subject and a mark (1500) representing the focus position; the mark (1500) displayed in the preview picture area (1302) is moved to a target position by a focal point select apparatus (input apparatus 118 in Figure 10); focus control means(control circuit 138) for controlling to focus on a position of the subject corresponding to said mark (See Col. 27, lines 5-15); the control circuit (138) for performing compression (reduction) processing in which a size of an image represented by the image data stored in the frame memory (136 as the **first memory unit**) is compressed to one-eighth; and the compressed imaged data (pre-shot image data) is output to the SCSI bus (154) (See Col. 17, lines 51-60). As shown in Figure 10, it clearly shows the compressed image data can be directly stored in image recording apparatus (120 as the **secondary memory unit**) from control circuit (138) via SCSI bus (154) or transferred to processing apparatus (114) for additional signal processing before recording the compressed

Art Unit: 2612

image data to the recording apparatus (120) (See Col. 19, lines 1-20). However, Ueno does not explicitly state the focal point select apparatus includes a touch screen for moving the mark.

The Mrejen reference discloses in Figures 1-4, a process to control the focusing of a photography device, such as a camera, a movie camera (See Page 2, lines 1-6); the image received and analyzed by CCD sensors (See page 3, lines 5-7 and page 23, lines 13-17); the signals thus received are amplified, the image received is displayed on a flat LCD touch screen (2) (See page 12, lines 10-15); the touch screen for moving the mark (the sharpness zone including test chart 11, frame 12, or a combination of both as shown in Figure 3a); the mark is thus chosen is taken into account for the automatic control of the focusing (See Page 14, lines 4-7). The Mrejen reference also states the touch screen could also be replaced, for example by a control handle, of joystick, which enables moving the mark (sharpness zone) on the surface of the image displayed on screen (See Page 14, lines 21-24). The Mrejen reference is an evidence that one of ordinary skill in the art at the time to see more advantages for using touch screen to move the mark which corresponding the focus on a position of the subject, because the operation can be performed easily and the cost can be reduced (See page 25, and lines 15-16 sets forth the motivation to provides a very accurate system, which can be used with many focal distances, and with high sensitivity). For that reason, it would have been obvious to include touch screen function for moving the mark representing the focus position in the input apparatus 118 disclosed by Ueno.

Referring to claim 4, the Ueno reference discloses wherein said focus control means further calculates the focus position by processing image data corresponding to the mark

moved in order to focus the position of subject corresponding to the mark (See Figure 18, steps 1904-1906, Col. 27, lines 1-15).

Referring to claim 5, the Ueno and Mrejen references disclose all subject matter as discussed with respect to same comments as with claim 1.

Referring to claim 7, the Ueno reference discloses wherein said display means comprises a display screen that shows the image and the mark (See Figures 14-15).

Referring to claim 8, the Mrejen reference discloses wherein touch screen (2) is established on a camera body as shown in Figure 1.

Referring to claim 11, the Ueno and Mrejen references disclose all subject matter as discussed with respect to same comments as with 4.

Referring to claim 15, the Ueno and Mrejen references disclose all subject matter as discussed with respect to same comments as with claim 1.

Referring to claim 17, the Ueno reference discloses calculating said focus position by processing image data corresponding to said relocated focus position as shown in Figure 15.

Referring to claim 19, the Ueno reference discloses generating an address of a memory (120) storing image data (pre-shooting image data) corresponding to a coordinates of focus position (1500); reading image data stored in said address, and calculating the focus position by processing said read image data as shown in Figure 18, steps 1906-1910 (See Col. 27, lines 1-15).

Conclusion

Art Unit: 2612

5. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Lin Ye** whose telephone number is **(703) 305-3250**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to:


(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2612

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Lin Ye
November 3, 2003


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600